

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:18-00293

ASHLEY NICHOLE RHODES

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On November 19, 2019, the United States of America appeared by Jeremy Wolfe, Assistant United States Attorney, and the defendant, Ashley Nichole Rhodes, appeared in person and by her counsel, Timothy J. LaFon, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer M. Dylan Shaffer. The defendant commenced a three-year term of supervised release in this action on August 7, 2019, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on August 7, 2019.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to report to the probation office within 72 hours of her release as required, and failed to contact the probation officer on August 8, 2019, after being instructed to do so on August 7, 2019; and (2) the defendant failed to report to Recovery Point in Charleston, West Virginia, after being sentenced to time served and directed by the court to go directly from jail to Recovery Point to participate in, and successfully complete, the 9-12 month inpatient drug treatment program; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

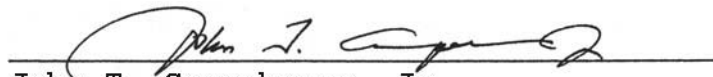
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS, to be followed by a term of twenty-four (24) months of supervised release upon the same conditions as heretofore prescribed with the exception of the special condition that she participate in the Recovery Point inpatient drug treatment program.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 20, 2019


John T. Copenhaver, Jr.
Senior United States District Judge